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June 5, 1992

BY HAND

Ms. Donna Searcy
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Washington, D.C. 20554

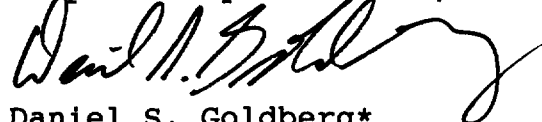
Re: CC Docket No. 92-105
Notice of Proposed Rulemaking
Released May 6, 1992

Dear Ms. Searcy:

Submitted herewith for filing on behalf of Puerto Rico Telephone Company are an original and four copies of its comments in the above-referenced proceeding.

Any questions regarding this filing may be directed to the undersigned.

Respectfully submitted,



Daniel S. Goldberg*
Attorney for Puerto Rico
Telephone Company

Enclosures

* Admitted to the bar of the Commonwealth of Virginia.
Not admitted to the bar of the District of Columbia.

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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

JUN - 5 1992

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
The Use of N11 Codes and) CC Docket No. 92-105
Other Abbreviated Dialing)
Arrangements)

COMMENTS OF THE
PUERTO RICO TELEPHONE COMPANY

The Puerto Rico Telephone Company ("PRTC"), by its attorneys, hereby submits its comments in this proceeding.^{1/} PRTC already makes significant use of N11 codes, and welcomes this opportunity to share with the Commission its experiences and practices in this area and to comment on a number of issues implicated by the Notice of Proposed Rulemaking ("Notice").^{2/}

I. PRTC ALREADY USES CERTAIN N11 CODES AND PLANS MORE USE IN THE FUTURE

The Notice suggests that the Commission has underestimated the extent to which N11 codes are presently used. For instance, the Notice states that access code 311 is "apparently not used at all." See Notice at paragraph 8.

^{1/} PRTC is owned by the Puerto Rico Telephone Authority ("PRTA"), an instrumentality of the Commonwealth of Puerto Rico. PRTA also owns the Puerto Rico Communications Corporation, a local exchange carrier serving the remainder of the access lines in Puerto Rico, and Telefonica Larga Distancia de Puerto Rico, an interstate and international carrier.

^{2/} PRTC notes that this proceeding involves inherently local dialing arrangements, and that there may be important questions as to the Commission's authority to adopt rules governing these dialing arrangements.

PRTC, however, has been using this code since May of 1991 to provide its customers using special telephone facilities with expedited access to repair service representatives specifically trained to respond to the unique inquiries of these customers.

More generally, PRTC presently makes substantial use of N11 codes, and plans to do so increasingly in the future:

1. Access Code 311: provides customers using substantial and complex telephone services with expedited access to specially-trained repair service representatives;
2. Access Code 411: provides customers with access to a Directory Assistance service;
3. Access Code 611: provides most customers with access to repair service representatives;
4. Access Code 711: reserved to provide customers with access to enhanced Yellow Page operator services, and should be operational in 1993;
5. Access Code 811: provides customers with access to business service representatives who can respond to customer questions concerning billing, payments received, and new telephone features; and,
6. Access Code 911: reserved to provide customers with access to emergency services, and should be operational in 1993.

PRTC is thus concerned that the factual basis for the Commission's proposal may not be fully accurate. It urges

the Commission to develop a full and accurate record concerning use of N11 codes, and to base any action in this proceeding on that record.

II. THE COMMISSION SHOULD REQUIRE A TWELVE MONTH NOTICE PERIOD FOR THE RECALL OF AN N11 CODE

If the Commission decides to proceed with proposals concerning N11 codes, it should require that an N11 code can be recalled only after a local exchange carrier ("LEC") has received twelve months written notice from the entity authorized to issue and recall such codes. A notice period shorter than twelve months would not provide LECs or other service providers with sufficient time to inform the public of a change in telephone number for a particular service. This would inevitably lead to customer confusion and a disruption in the service provider's business. A twelve month notice period is also essential in order to give LECs adequate time to modify their facilities to implement new dialing sequences required by the recall of N11 codes.

III. THE COMMISSION SHOULD ENSURE THAT THE RULES IT ADOPTS IN THIS PROCEEDING DO NOT IMPAIR THE ABILITY OF LOCAL EXCHANGE COMPANIES TO COMPLY WITH SECTION 223 OF THE COMMUNICATIONS ACT OF 1934

The Commission apparently contemplates that abbreviated dialing arrangements could be used by providers of enhanced services, presumably including providers of various kinds of audio programs. Some of these programs are precisely the kind that prompted the enactment of Section 223(c)(1) of the Communications Act of 1934, as amended (the

"Communications Act"). Section 223(c)(1) prohibits LECs from transmitting obscene information and in at least some cases requires LECs to block the transmission of indecent communications on a per line basis.^{3/} However, PRTC's current switches, while state-of-the-art digital machines, are currently incapable of selectively blocking calls made with N11 codes without substantial modifications. Implementing the necessary modifications would take a significant amount of time and could only be accomplished at great expense.

Accordingly, the Commission should not permit N11 codes to be used for any pay per call type information services. Those services should instead continue to be provided using seven digit dialing sequences (e.g., 976) or the 900 area code. The N11 codes should be reserved for other purposes, such as access to emergency services and telephone company customer services. Unless the Commission follows this approach, LECs like PRTC will lose their ability to exclude

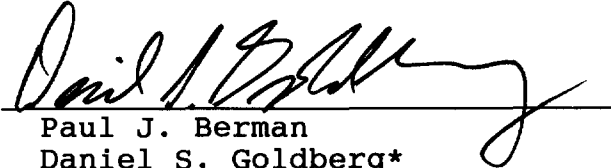
^{3/} See 47 U.S.C. Section 223.

pay per call services or any other service subject to the per line blocking requirements of the Communications Act.

Respectfully submitted,

PUERTO RICO TELEPHONE AUTHORITY

By



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June 5, 1992

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